

United States District Court
District of Massachusetts

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Action No.
)	19-10080-NMG
JOHN WILSON,)	
)	
Defendant.)	
_____)	

ORDER

Pending before the Court is a motion of defendant John Wilson for Reassignment Under Local Rule 40.1(k) (Docket No. 2684) which the government has opposed.

Local Rule 40.1(k)(1) requires reassignment when a case is remanded by the appellate court "for a new trial". In this case, the government has dismissed the claims that were remanded and there will be no new trial. The Court therefore considers the pending motion pursuant to Local Rule 40.1(k)(2) which provides that further proceedings, other than a new trial, should be reassigned unless the Court determines that not reassigning the case:

will result in a substantial saving in the time of the whole court and that there is no reason why, in the interest of justice, further proceedings should be conducted before another judge.

The Court finds that further proceedings conducted in this session may well result in a substantial saving of time and that such proceedings certainly could be administered in a fair and

unbiased matter. Nevertheless, the Court concludes that reassignment of this case to another district judge is in the interest of justice particularly because of the prior notoriety of the case, the publicity associated with its trial and appeal and the need to assure not only the fairness of the proceedings but also the appearance thereof.

Defendant's motion for reassignment (Docket No. 2684) is **ALLOWED** and this case is returned to the Clerk for reassignment.

So ordered.



Nathaniel M. Gorton
United States District Judge

Dated: July 12, 2023